

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

PHILLIP J. LYONS,	)	3:07-cv-00460-LRH (WGC)
	)	
Plaintiff,	)	<b><u>MINUTES OF THE COURT</u></b>
	)	
vs.	)	December 6, 2011
	)	
CONNIE BISBEE, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: JENNIFER COTTER REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

**MINUTE ORDER IN CHAMBERS:**

On October 21, 2011, the Honorable Larry R. Hicks entered a minute order in chambers (Doc. #181) directing the parties to file a joint or separate status report(s). Plaintiff filed a status report on November 16, 2011 (Doc. #184) and the defendants filed a status report on November 21, 2011 (Doc. #185).

The court earlier addressed the dispositive motion of defendants (Defendants' Motion for Summary Judgment, Doc. #161). In its Order of June 9, 2011 (Doc. #179), the court adopted and accepted the Report and Recommendation of the United States Magistrate Judge (Doc. #173). Summary judgment was granted as to Counts I, II, VI, VII, VIII, IX and XI of plaintiff's complaint; summary judgment was denied as to Counts III, IV, V and X (Doc. #179). Therefore, it appears that a proposed pretrial order should be prepared and submitted herein.

However, plaintiff has filed a Motion for Settlement Conference (Doc. #182) wherein plaintiff represents that "...negotiations at this time may very well lead to the resolution of the remaining claims in this case... ." The defendants do not oppose the concept of a settlement conference and agree to make plaintiff available by video. (Doc. #183). Therefore, deferral of the submission of a Pretrial Order appears appropriate and plaintiff's motion for a settlement conference is **GRANTED**. The courtroom administrator is requested to arrange the logistics for a mediation.

**MINUTES OF THE COURT**

3:07-cv-00460-LRH (WGC)

Date: December 6, 2011

Page 2

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The last issue is whether plaintiff may have an attorney present to advise and assist him throughout the settlement conference proceedings. Plaintiff identifies a Travis Barrick of Las Vegas, Nevada, as one who might advise and assist him and requests leave to have his assistance at mediation (Doc. #182, p. 2). The defendants oppose Mr. Barrick assisting plaintiff (or whatever attorney plaintiff might retain) unless and until counsel has filed a Notice of Substitution and agrees herein (Doc. #182). Although as defendants argue plaintiff "has proven to be capable/competent in representing himself to date," (*id.* p. 2), the court believes involvement of counsel on behalf of Mr. Lyons may be beneficial and productive to the mediation process. Therefore, the court will conduct a telephonic status conference to address the issue of a limited appointment of counsel Mr. Lyons may select herein.

The courtroom administrator is requested to schedule the telephonic status conference.

**IT IS SO ORDERED.**

LANCE S. WILSON, CLERK

By: \_\_\_\_\_/s/  
Deputy Clerk